

COURT TERMS

CIRCUIT COURT  
1ST MONDAY JANUARY  
1ST MONDAY MARCH  
1ST MONDAY MAY  
1ST MONDAY JUNE  
1ST MONDAY SEPTEMBER  
1ST MONDAY NOVEMBER

SECOND DISTRICT  
CIRCUIT  
4TH MONDAY JANUARY  
2ND MONDAY JULY  
4TH MONDAY SEPTEMBER

**Office of the Circuit Court  
Hinds County**

**Zack Wallace Circuit Clerk**  
www.hindscountymiss.com

COURT TERMS

COUNTY COURT  
2ND MONDAY  
EACH MONTH

SECOND DISTRICT  
COUNTY

2ND MONDAY MARCH  
2ND MONDAY JUNE  
2ND MONDAY SEPTEMBER  
2ND MONDAY DECEMBER

**MARRECO MCDONALD**

**PLAINTIFF**

**VS**  
**MISSISSIPPI DEPARTMENT OF EDUCATION**

**NO. \_\_20-324**

**DEFENDANTS**

**CLERK'S CERTIFICATION**

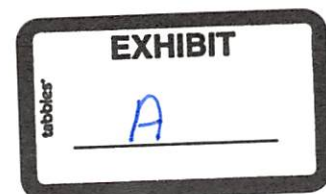
I, **Zack Wallace, Clerk of Hinds County, Mississippi**, hereby certify that the attached are true and correct copies of all papers filed in the above styled and numbered cause, as of this date the same is of record in this office to wit:

**GIVEN UNDER MY HAND AND SEAL** of office this the 4<sup>TH</sup> day of AUGUST, 2020.



**Zack Wallace, Circuit Clerk, Hinds County**

By KELLY CAUTHEN D.C.



FIRST DISTRICT - JACKSON OFFICE  
P.O. BOX 327 JACKSON, MS 39205  
PHONE: 601-968-6628 FAX: 601-973-5547

SECOND DISTRICT - RAYMOND OFFICE  
P.O. BOX 999 RAYMOND, MS 39154  
PHONE: 601-857-8038 FAX: 601-857-0535

**Mississippi Electronic Courts  
Seventh Circuit Court District (Hinds Circuit Court - Jackson)  
CIVIL DOCKET FOR CASE #: 25CI1:20-cv-00324-TTG**

MCDONALD v. MISSISSIPPI DEPARTMENT OF  
EDUCATION  
Assigned to: Senior Circuit Judge Tomie Green

Date Filed: 06/02/2020  
Current Days Pending: 59  
Total Case Age: 59  
Jury Demand: None  
Nature of Suit: 5 Employment

**Upcoming Settings:**

None Found

**Plaintiff**

**MARREO MCDONALD**

represented by **MARREO MCDONALD**  
**PRO SE**

V.

**Defendant**

**MISSISSIPPI DEPARTMENT OF  
EDUCATION**

Date Filed	#	Docket Text
06/02/2020	<u>2</u>	COMPLAINT against MISSISSIPPI DEPARTMENT OF EDUCATION, filed by MARREO MCDONALD. (Attachments: # <u>1</u> Civil Cover Sheet,) (KK) (Entered: 06/02/2020)
07/22/2020	<u>3</u>	SUMMONS Issued to LYNN FITCH, ATTORNEY GENERAL ATTORNEY GENERAL'S OFFICE. (LM) (Entered: 07/22/2020)

<b>MEC Service Center</b>			
<b>Transaction Receipt</b>			
07/31/2020 13:52:57			
<b>You will be charged \$0.20 per page to view or print documents.</b>			
<b>MEC Login:</b>	jc99546M	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	25CI1:20-cv-00324-TTG
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.20

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF  
HINDS COUNTY, MISSISSIPPI**

**CASE NO. 20-324**

**MARREO MCDONALD  
(PLAINTIFF)**

**VS.**

**MISSISSIPPI DEPARTMENT OF EDUCATION  
(DEFENDANT)**

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**COMPLAINT  
(Jury Trial Requested)**

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The Plaintiff, Marreo McDonald, files this complaint against the Defendant, Mississippi Department of Education, to address retaliation in the workplace and to pursue the right to sue received from the Equal Employment Opportunity Commission- Jackson office.

**A. Parties**

1. The Plaintiff, Marreo McDonald, is a residential citizen of Hinds County, Mississippi.
2. The Defendant, Mississippi Department of Education (MDE), is the state education agency of Mississippi.

**B. Jurisdiction and Venue**

3. This Court has jurisdiction of Plaintiff's claims and venue is appropriate in the Circuit Court of the First Judicial District of Hinds County, Mississippi because Defendant maintains facilities and business operations in Hinds County, Mississippi and, upon information, all of the events giving rise to action occurred in the First Judicial District of Hinds County, Mississippi. (MS Const. Art. 6, § 156) (Miss. Code Ann. § 9-7-81) (Miss. Code Ann. § 11-11-3)

**C. Compliance with Statues**

4. Plaintiff filed grievances against the improper written reprimands internally and with the Employee Appeals Board.
5. Plaintiff filed a hostile work environment complaint internally and with the Employee Appeals Board.
6. Plaintiff filed a retaliation complaint internally.
7. Plaintiff filed a charge with Equal Employment Opportunity Commission C- Jackson office. (Dismissal and Right to Sue Notice attached.)

**D. Facts Which Give Rise to Cause of Action**

8. Marreo McDonald (McDonald) was doing as directed by his immediate supervisor, Sharon O Rosell (Rosell), on March 20<sup>th</sup> by consulting with Cherron Collins- Woodard (Woodard) and trying to get the order resubmitted timely.
9. When consulting with Woodard as directed, Woodard advised and approved McDonald to consult with Vivian Taylor (Taylor), who is a Certified Mississippi Purchasing Agent, in the Office of Procurement to address questions they had before resubmitting the order.
10. Getting the order resubmitted on March 20<sup>th</sup> accurately was impossible because Taylor did not respond to the email until the next morning.
11. Rosell did not completely read her email to know that McDonald did consult with Woodard and informed Taylor that the Office of Budget and Planning was trying to resubmit the order by close of business March 20<sup>th</sup>.
12. During the issuance of the improper written reprimand on March 22, 2019, McDonald made Rosell aware of the fact that he does not agree with the improper written reprimand because he did consult with Woodard and could not resubmit the order because he and

Woodard, who she insisted he consult with before resubmitting the order, had additional questions for the Office of Procurement before doing so. Therefore, McDonald did not sign the improper written reprimand.

13. McDonald filed his grievance on the March 26<sup>th</sup> which resulted in Rosell changing her stance to saying she felt that it was something McDonald could handle himself but insisted that he consult with Woodard before resubmitting the order on March 19<sup>th</sup> via email. With moving the grievance throughout the process, Elisha Campbell referenced wrong dates and supported the improper written reprimand even though McDonald made her aware that it was impossible for him to resubmit the order without Taylor addressing the questions emailed and Dr. Washington Cole was informed during the meeting of the fact McDonald consulted with Woodard but could not resubmit the order until Taylor addressed the questions. This grievance was submitted to the Employee Appeals Board on April 26<sup>th</sup>.

14. On April 8<sup>th</sup>, McDonald filed a hostile work environment complaint with the MDE's Human Resource Director, Cassandra Moore (Moore), against Rosell's retaliatory actions which was against the policy provided in the Employee Procedures Manual-Prohibition Against Retaliation (attached), due to him not signing the improper written reprimand and filing a grievance to bring awareness to her lack of responsibility to completely read her email and to notice his efforts to meet the deadline given.

15. Due to the continuance of Rosell's retaliatory behavior, McDonald filed another grievance to address another unjust written reprimand presented to him on April 25<sup>th</sup> for actions noted on his lunch break which was against the federal law 29 CFR 785.19.

McDonald filed his grievance on April 26<sup>th</sup> and submitted a retaliation complaint against Rosell to Moore on July 8<sup>th</sup>.

16. Rosell's retaliatory behavior led to her sabotaging McDonald's work by not informing him of next steps in the Bureau of Building process since this was his first time completing that task and she stated during his onboarding process that she would make sure he is properly trained in processes/ assigned duties he was not familiar with which led to his termination.

17. Rosell's retaliatory behavior continued until McDonald was escorted out of the MDE building by Moore on September 4, 2019.

#### **E. Cause of Action**

18. Defendant owed Plaintiff the right to be free from retaliation due to his choice to file grievances against the improper written reprimands according to the MDE's Equal Employment Opportunity and Affirmative Action policy- Prohibition Against Retaliation (attached) which resulted in Plaintiff filing a hostile work environment complaint and retaliation complaint.

19. Mississippi labor laws do not have any laws requiring an employer to provide a meal period or breaks to employees, thus the federal rule applies.

#### **F. Damages**

20. Plaintiff had to endure the retaliatory behavior of Rosell and the systemic bias of the Defendant which caused him mental anguish.

21. Plaintiff was denied a promotion within the Office of Budget and Planning due to Rosell's retaliatory efforts but was assigned to complete task of the position until it was filled.

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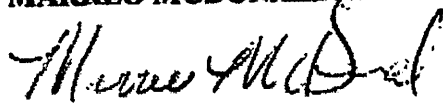
22. Plaintiff was wrongfully terminated on September 19, 2019 due to Rosell retaliatory behavior and her efforts to sabotage his work due to him not being informed of the process for the Bureau of Building transfer.

**G. Prayer for Relief**

Plaintiff, Marreo McDonald, hereby request judgement against the Defendant, Mississippi Department of Education, in the amount of \$250,000 in punitive damages to compensate his lack of opportunities for personal and professional growth and benefits at the MS Department of Education which includes, but not limited to, tuition reimbursement and promotion opportunities due to the retaliation of Rosell. The Plaintiff would also like to be compensated for his emotional distress with having to endure Rosell's retaliatory behavior from March 25, 2019 until being escorted out the MDE building September 4, 2019 and MDE's systemic bias when providing proof of his claims. Plaintiff would also like to address wrongful termination by receiving a file change from termination to resignation and the improper written reprimands be removed from his personnel file.

This the 2<sup>nd</sup> day of June, 2020.

**MARREO MCDONALD, PLAINTIFF**

A handwritten signature in black ink, appearing to read "Marreo McDonald", written in a cursive style.



Case: 25CI1:20-cv-00324-TTG Document #: 2 Filed: 06/02/2020 Page 6 of 7  
 EEOC Form 161 (11-16) U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### DISMISSAL AND NOTICE OF RIGHTS

To: **Marreo McDonald**  
**2431B River Oaks Blvd**  
**Jackson, MS 39211**

From: **Jackson Area Office**  
**Dr. A. H. McCoy Federal Building**  
**100 West Capital Street, Suite 338**  
**Jackson, MS 39269**



On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(e))

EEOC Charge No.

EEOC Representative

Telephone No.

423-2019-01142

**Joycelyn C. Humes,**  
 Investigator

(601) 948-8443

#### THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

#### - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

  
**Eszear S. McDuffey,**  
 Director

**03/04/2020**  
 (Date Mailed)

Enclosures(s)

cc:

**Erin Meyer**  
**Special Assistant Attorney General**  
**Attorney General's Office**  
**P.O. Box 771**  
**Jackson, MS 39205**



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STATE OF MISSISSIPPI DEPARTMENT OF EDUCATION	TOPIC: EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION
EMPLOYEE PROCEDURES MANUAL	SECTION: 3.0 PAGE 8 OF 8 EFFECTIVE DATE: MAY 1, 2000 REVISION #2: JULY 1, 2011

### Prohibition Against Retaliation

Any and all acts of retaliation against persons who utilize the grievance procedure are expressly prohibited. Similarly, the MDE prohibits retaliation against witnesses or any other employees who might be called on to participate in investigations of complaints.

### Confidentiality

Complaints will be handled in strict confidence whenever possible. The necessity of a thorough investigation, however, may make complete confidentiality impossible. The MDE will release information relating to an investigation only where necessary and on a "need to know" basis.

### Evidence

The complaining party is encouraged to maintain and deliver to management any and all evidence of harassment, including diary entries and notes of dates, time and locations of conduct as well as names of witnesses to each instance of harassment.

### Duty to Participate in Investigations

Employees with knowledge concerning complaints of harassment or discrimination have a duty to participate in investigations by providing complete and timely information. Withholding information or failing to cooperate in a good faith manner will be considered a disciplinary infraction and may result in disciplinary action.

- ☐ Bad Faith
- ☐ Fraud
- ☐ Intentional Tort
- ☐ Loss of Consortium
- ☐ Malpractice - Legal
- ☐ Malpractice - Medical
- ☐ Mass Tort
- ☐ Negligence - General
- ☐ Negligence - Motor Vehicle
- ☐ Premises Liability
- ☐ Product Liability
- ☐ Subrogation
- ☐ Wrongful Death
- ☐ Other

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**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF  
HINDS COUNTY, MISSISSIPPI**

**CASE NO. 20-324**

**MARREO MCDONALD  
(PLAINTIFF)**

**VS.**

**MISSISSIPPI DEPARTMENT OF EDUCATION  
(DEFENDANT)**

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**Summons**

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**THE STATE OF MISSISSIPPI  
TO: Lynn Fitch, Attorney General  
Attorney General's Office  
550 High Street  
Jackson, MS 39201**

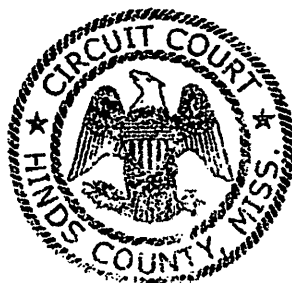
**NOTICE TO DEFENDANT**


**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND  
YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

**You are required to mail or hand-deliver a copy of a written response to the Complaint to Marreo McDonald, the Plaintiff, whose street address is 2431B River Oaks Blvd Jackson, MS 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this summons and complaint or a judgement by default will be entered against you for the money or other things demanded in the complaint.**

**You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.**

**Issued under my hand and the seal of said Court, this 22<sup>nd</sup> day of July, 2020.**



  
Clerk of Hinds County, Mississippi  
**ZACK WALLACE, CIRCUIT CLERK**

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